

REMARKS/ARGUMENTS

This Amendment is submitted in response to the Office Action dated August 7, 2006, and within the period for reply extending to November 7, 2006. The current status of the claims is summarized below.

5 Claims 1, 6, 8, 10-12, 23, and 25 are currently amended.

 Claims 7 and 24 are cancelled.

 Claims 1-6, 8-23, and 25 are pending following entry of this Amendment.

Allowable Subject Matter

10 The Applicant acknowledges the Office's indication that claims 17-22 are allowed. The Applicant also acknowledges the Office's indication that claims 13 and 24-25 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

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Rejections under 35 U.S.C. 102

 Claims 1-12, 14-16, and 23 were rejected under 35 U.S.C. 102(e) as being anticipated by Hamasaki et al. ("Hamasaki" hereafter) (U.S. Patent No. 6,856,623 B2). These rejections are traversed.

20 Hamasaki [13:4-17] teaches that a message ID portion of the PLOAM cell is used to identify the transmitted message as representing either a vendor-specific message (VSM) or another type of message. Hamasaki [13:4-17] also teaches that a message processing unit 23 is operated to refer to the message ID portion of the PLOAM cell to determine if the message is a VSM. If the message is a VSM, Hamasaki [13:4-17] teaches

that the message processing unit 23 sends VSM to a VSM processing unit 24 for processing.

Independent claim 1, as amended, recites that a transmitted communication having cyclic redundancy check (CRC) is recognized as a vendor-specific communication
5 when a vendor-specific CRC data check indicates that the CRC data is valid vendor-specific CRC data. Furthermore, amended claim 1 recites that both a standard CRC data check and a vendor-specific CRC data check is performed.

In contrast to amended claim 1, Hamasaki teaches that a message ID is used to indicate whether or not a message is a vendor-specific message. Therefore, with regard to
10 amended claim 1, Hamasaki does not teach recognizing the communication as a vendor-specific communication when the vendor-specific CRC data check indicates valid vendor-specific CRC data. Also, with regard to amended claim 1, Hamasaki does not teach performing both a standard CRC data check and a vendor-specific CRC data check.

Independent claim 10, as amended, recites performing both a standard CRC data
15 check and a vendor-specific CRC data check. Amended claim 10 also recites processing the communication at the second device in accordance with a vendor-specific protocol when the vendor-specific CRC data check identifies the CRC data of the communication as representing valid vendor-specific CRC data. Amended claim 10 further recites processing the communication at the second device in accordance with a standard
20 protocol when the standard CRC data check identifies the CRC data of the communication as representing valid standard CRC data. Hamasaki does not teach the above-identified features of amended claim 10.

For a claim to be anticipated under 35 U.S.C. 102, each and every feature of the claim must be taught by a single prior art reference. As discussed above, Hamasaki does
25 not teach each and every feature of amended claims 1 and 10, respectively. Consequently,

Hamasaki does not anticipate each of claims 1 and 10 under 35 U.S.C. 102. Therefore, the Applicant requests the Office to withdraw the rejections of claims 1 and 10.

Because a dependent claim incorporates each and every feature of its independent claim, the dependent claim is patentable for at least the same reasons as its independent claim. Therefore, the Applicant submits that each of dependent claims 2-6 and 8-9 is patentable for at least the same reasons as claim 1, and each of dependent claims 11-16 is patentable for at least the same reasons as claim 10. The Applicant requests the Office to withdraw the rejections of claims 2-6, 8-9, and 11-16.

Claim 23 has been amended to incorporate the features of previously pending claim 24. The Office has indicated that previously pending claim 24 would be allowable if incorporated into claim 23. Therefore, the Applicant submits that amended claim 23 is not anticipated by Hamasaki under 35 U.S.C. 102. The Applicant requests the Office to withdraw the rejection of amended claim 23. Also, the Applicant submits that claim 25, which depends from claim 23, is patentable for at least the same reasons as claim 23.

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The Applicant submits that all of the pending claims are in condition for allowance. Therefore, a Notice of Allowance is requested. If the Examiner has any questions concerning the present Amendment, the Examiner is requested to contact the undersigned at (408) 774-6914. If any additional fees are due in connection with filing this Amendment, the Commissioner is also authorized to charge Deposit Account No. 50-0805 (Order No. ADAPP264). A duplicate copy of the transmittal is enclosed for this purpose.

Respectfully submitted,
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